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## HEALTH & FAMILY WELFARE DEPARTMENT

### NOTIFICATION

The 9th July, 2013

No. 19985—Hom-M-36/2013/H.— In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Odisha hereby makes the following rules regulating the method of recruitment and conditions of service of the persons appointed to the different teaching posts in Government Homoeopathic Medical Colleges of the State, namely:—

### PART- I

#### GENERAL

#### 1. Short title and Commencement:

(1) These rules may be called the Odisha Homoeopathic Medical Education Service (Method of Recruitment and Conditions of Service) Rules, 2013.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

#### 2. Definitions : (1) In these rules, unless the context otherwise requires:—

- (a) “**Commission**” means the Odisha Public Service Commission;
- (b) “**Committee**” means the Departmental Promotion Committee constituted under rule 10;
- (c) “**Council**” means Central Council of Homoeopathy constituted under Central Council Act, 1973;
- (d) “**Ex-servicemen**” means persons as defined in the Odisha Ex-servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;
- (e) “**Field experience**” means the period of service rendered including the period of leave taken by a person from the date of his appointment in

temporary/ permanent/ contractual post of Homoeopathic Medical Officer in a Government Homoeopathic Institution of the State;

- (f) **“Government”** means the Government of Odisha;
- (g) **“Period of teaching experience”** means period of service rendered including the period of leave taken by a person from the date of his appointment in the service in a particular post or grade in consultation with the commission or otherwise as the case may be;
- (h) **“Persons with Disabilities”** means persons who have been granted with disability certificates by competent authority as per the provisions of the Persons with Disabilities (Equal Opportunities, Protection of Right and Full Participation) Odisha Rules, 2003;
- (i) **“Recognized Homoeopathic Qualification”** means qualification obtained in Homoeopathy from any recognized University, Board or other Medical Institutions in India included in the Second Schedule of the Homoeopathic Central Council Act, 1973 and the Medical qualification granted by Medical Institutions outside India recognized by Central Council of Homoeopathy, which are included in the Third Schedule of the said Act;
- (j) **“Scheduled Castes and Scheduled Tribes”** shall have reference to the Scheduled Castes and Scheduled Tribes specified in the Constitution (Scheduled Castes) Order, 1950 and the Constitution (Scheduled Tribe) Order, 1950, made under Articles 341 and 342 of the Constitution of India, respectively and as amended from time to time;
- (k) **“SEBC”** means the Socially and Educationally Backward Classes as referred to in-clause (e) of Section 2 of the Odisha Reservation of Posts and Services (for Socially and Educationally Backward Classes) Act, 2008;
- (l) **“Service”** means the Odisha Homoeopathic Medical Education Service;
- (m) **“Sportsmen”** means persons who have been issued with identity card as sportsmen by the Director, Sports as per Resolution No. 24808/Gen. dated 18th November 1985 of General Administration Department; and
- (n) **“Year”** means the Calendar Year;

(2) All other words and expressions used in these rules but not specifically defined shall, unless the context otherwise requires, have the same meaning as respectively assigned to them in the Odisha Service Code.

**3. Composition of Service:** The Service shall comprise of the following teaching posts, namely:—

- (a) Principal, Professor and Reader in Group 'A'
- (b) Lecturer in Group 'B' in Government Homoeopathic Medical Colleges in the State.

## **PART-II**

### **METHODS OF RECRUITMENT**

**4. Methods of Recruitment:** Subject to the provisions made in these rules, recruitment to the posts in the service shall be made by the following methods, namely:—

- (a) in respect of the post of Lecturer by the direct recruitment by the commission, in accordance with rule 7; and
- (b) in respect of the posts of Principal, Professor and Reader by promotion in accordance with rule 9.

**5. Reservation:** Notwithstanding anything contained in these rules reservation of vacancies or posts, as the case may be, for :—

- (a) Scheduled Castes and Scheduled Tribes shall be made in accordance with the provisions of the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder; and
- (b) SEBC, Women, Sportsmen, Ex-servicemen and Persons with Disabilities shall be made in accordance with the provisions made under such Act, Rules, Orders or Instructions issued in this behalf by the Government from time to time.

## **PART-III**

### **DIRECT RECRUITMENT**

**6. Eligibility criteria for Direct Recruitment:** In order to be eligible for direct recruitment, a candidate shall have to satisfy the following conditions, namely :—

- (1) **Nationality:** A candidate must be a citizen of India;
- (2) **Age Limits:** A candidate must have attained the age of 21 years and must not be above the age of 32 years on 1st day of January of the year in which the application are invited by the Commission:

Provided that the upper age limit in respect of reserved categories of candidates referred to in rule 5 shall be relaxed in accordance with the provisions of the Act, Rules, Orders or Instructions, for the time being in force, for the respective categories;

(3) **Knowledge in Odia:** He must be able to read, write and speak Odia; and have:—

- (a) passed Middle School examination with Odia as a language subject; or
- (b) passed Matriculation or equivalent examination with Odia as medium of examination in non-language subject; or
- (c) passed in Odia as language subject in the final examination of Class VII from a school or education institution recognized by the Government of Odisha or the Central Government; or
- (d) passed a test in Oriya in Middle English School Standard conducted by the School & Mass Education Department.

(4) **Marital Status:** A candidate if married, must not have more than one spouse living:

Provided that the State Government may, if satisfied that such marriage is permissible under the personal law applicable to such person or there are other grounds for doing so, exempt any person from the operation of this rule.

(5) **Physical and Mental Fitness:** A candidate must be of good mental condition, bodily health and free from any physical defect i.e. likely to interfere with the discharge of his duties in the service. A candidate, who after such medical examination as the Government may prescribe, is not found to satisfy these requirements shall not be appointed to the service.

(6) **Minimum Educational Qualification for the post of Lecturer in Homoeopathic subjects (subjects of paper –I contained in Appendix-A) :—**

- (a) The candidate must have possessed Post Graduate Degree in Homoeopathy in the concerned subject from an University recognized by Central Council of Homoeopathy.
- (b) **Minimum Educational Qualification for the post of Lecturer in Allied Medical Subjects (subjects of paper-II contained in Appendix-A):** The candidate must have possessed Post Graduate Degree in Homoeopathy from an University recognized by Central Council of Homoeopathy.

**OR**

Post Graduate Medical Degree in concerned subject recognized by the Medical Council of India with two years professional experience in a hospital recognized by Medical Council of India / Central Council of Homoeopathy.

Provided that the recruitment for the post of Lecturer in Allied Medical subjects shall be made as per the notification issued by the Govt. from time to time depending upon the vacancy position of concerned subject.

#### **7. Procedure for direct recruitment:**

(1) The competitive examination for direct recruitment shall be conducted by the Commission.

(2) The Government shall intimate the Commission the number of vacancies in the posts of Lecturer in different disciplines indicating therein the number of posts required to be filled up by way of reservations of posts for persons belonging to different categories.

(3) On receipt of the intimation under sub-rule (2), the Commission shall publish advertisement at least in two vernacular daily newspapers having wide circulation in Odisha, inviting applications for selection.

(4) The application forms, the manner of submission of application, the documents required to be accompanied with the application form, fee required and manner of scrutiny of applications shall be as may be decided by the Commission.

(5) (i) Selection of recruitment for Lectures by the Commission will be based on career marking and written test conducted in the manner provided in the rules and in accordance with the syllabus as specified in Appendix-"A" ;

(ii) career marking will be for 30% (10% each for class -10th, class -12th and BHMS) and 70 % for written test as there is no percentage of marks in P.G examination;

(iii) Computerized question paper for objective, multiple test will be prepared by the Commission at their level. But the questions will be as per Bachelor in Homoeopathic Medicine and Surgery curriculum.

#### **8. Preparation of Merit List:**

(1) The Commission shall prepare a list of candidates in order of merit on the basis of career marking and written test which shall be equal to the number of advertised vacancies:

Provided that, if two or more candidates secure equal marks then the candidate securing higher marks in written test shall find place above the others in the merit list. In case marks obtained in written test is also the same, the candidate elder in age shall be placed above the younger.

(2) The list recommended by the Commission shall remain valid for one year from the date of the recommendation or till the next recruitment made by the Commission.

## PART-IV

### PROMOTION

#### 9. Eligibility Criteria for promotion:

**(1) Reader in Homoeopathic subjects:** (a) No person shall be eligible to be appointed as Reader unless he /she :

- (i) Possesses a post Graduate qualification in Homoeopathy with six years of teaching experience as Lecturer in the concerned subject; or
  - (ii) Possesses a Degree in Homoeopathy with ten years of experience as Lecturer in the concerned subject or Diploma in Homoeopathy of not less than 4 years duration with fifteen years teaching experience in concerned subject.
- (b) (i) has experience as Supervisor/Co-supervisor/Co-Guide for post graduate programme in Homoeopathy;
- (ii) has administrative experience or research experience in a research institution under the Department of AYUSH of State Government or Central Government in a responsible position with research publications in national journals.

**(2) Reader in Allied Medical Subjects:** (a) No person shall be eligible to be appointed as Reader in Allied medical subjects unless he/she:

- (i) Possesses a post graduate qualification in Homoeopathy with six years of teaching experience as Lecturer in the concerned subject;
- OR**
- (ii) Possesses a Degree in Homoeopathy with 10 years experience as Lecturer in the concerned subject or Diploma in Homoeopathy of not less than 04 years duration with 15 years teaching experience as Lecturer in the concerned subject.
- (b) (i) has experience as Supervisor / Co-supervisor / Co-Guide for post graduate programme in Homoeopathy;
- (ii) has administrative experience or research experience in a research institution under the Department of AYUSH of State Government or Central Government in a responsible position with research publication in national journals.

**OR**

- (i) Post Graduate Medical Degree in concerned subject recognized by the Medical Council of India with six years teaching experience as Lecturer in the subject concerned in a degree level Medical Institution/ Homoeopathic College;

- (ii) has administrative experience or research experience in a research institution under the State Govt. or Central Govt. . In a responsible position.

**(3) Professor in Homoeopathy subjects :** (a) No person shall be eligible to be appointed as Professor of Homoeopathy unless he/she possesses—

- (i) post Graduate qualification in Homoeopathy with at least four years teaching experience as Reader in the concerned subject; or
  - (ii) a Degree in Homoeopathy with six years of teaching experience as Reader in the concerned subject or Diploma in Homoeopathy of not less than four years duration with 20 years teaching experience as Reader in the subject concerned.
- (b) (i) has experience as Supervisor / Guide for Post Graduate programme in Homoeopathy or original publication in research; and
- (ii) has administrative experience or research experience in a research institution under the Department of AYUSH of State Government or Central Government in a responsible position;

**(4) Professor in Allied Medical Subjects:** (a) No person shall be eligible to be appointed as Professor in Allied medical Subject unless he/she possesses—

- (i) Post Graduate qualification in Homoeopathy with at least 04 years of teaching experience as Reader in the concerned subject; or
  - (ii) a Degree in Homoeopathy with 06 years of teaching experience as Reader in the concerned subject or Diploma in Homoeopathy of not less than 04 years duration with 20 years teaching experience as Reader in the subject concerned.
- (b) (i) has experience as Supervisor / Guide for Post Graduate programme in Homoeopathy or original publication in research; and
- (ii) has administrative experience or research experience in a research institution under the Department of AYUSH of State Government or Central Government in a responsible position;

**OR**

- (i) Post Graduate in Degree in concerned subject recognized by the Medical Council of India with 04 years teaching experience as Reader in the subject concerned in a degree level Medical Institution/ Homoeopathic college.

- (ii) has administrative experience or research experience in a research Institution under the State Government or Central Government in responsible position.

**(5) PRINCIPAL :**

- (a) (i) Appointment to the post of Principal in the service shall be made from amongst the candidates having Post Graduate degree in Homoeopathy and holding a post as Professor in a degree /PG level Homoeopathic college for two years, or
- (ii) having Degree in Homoeopathy with at least four years teaching experience as Professor in a degree / PG level Homoeopathic college.
- (b) have administrative experience in Homoeopathic College or attached hospital, Degree / Diploma in administration / Health Administration from any recognized institution. Experience as Supervisor / Guide for post graduate programme in Homoeopathy or original publication in research.

**10. Constitution of Departmental Promotion Committee :**

(1) *For the post of Principal/Professor:* There shall be constituted a Departmental Promotion Committee for selection of officer for promotion to the different posts of Principal, Professor and Reader in the service with the following members namely:—

- (a) Chief Secretary or the Development ... Chairman  
Commissioner I/C of Health & Family  
Welfare Department.
- (b) Secretary to Government, Health & Family ... Member  
Welfare Department.
- (c) Director, AYUSH Odisha ... Member
- (d) An Officer not below the rank of Deputy ... Member-Convenor  
Secretary to Government, Health & Family  
Welfare Department.  
(Dealing with Teaching Establishment)

(2) The recommendation of the Committee shall be valid and can be operated upon notwithstanding the absence of any one of its members other than the Chairman:

Provided that the member so absenting was duly invited to attend the meeting of the Committee and the majority of members of the Committee attended the meeting.



### **11. Meeting of Departmental Promotion Committee :**

(1) The Committee shall meet at least once in a year preferably in the month of January to prepare a list of officers, as are held by them, suitable for promotion to the next higher grade.

(2) The Committee while considering the promotion cases of suitable officers and preparation of the list shall follow the provisions of—

(a) The Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder, wherever.

(b) The Odisha Civil Services (Zone of Consideration for Promotion) Rules, 1988.

(c) The Odisha Civil Services (Criteria for Promotion) Rules, 1992 and

(d) The Odisha Civil Services (Criteria for Selection for Appointment including Promotion) Rules, 2003.

### **12. Consultation with the Commission:**

(1) The recommendations of the Committee under sub-rule(2) of rule 10 shall be referred to the Commission for concurrence along with a list of all eligible candidates, including those who has not been recommended together with the service particulars relating to their service such as PARs / CCRs etc., academic qualification, teaching experience, research and field experience; if any,

(2) The Commission shall consider the list received along with the service particulars received under sub-rule (1) and shall furnish its recommendations to the Government.

### **13. Select List:**

(1) The recommendations of the Commission in respect of reference made to it under sub-rule (1) of rule 12 and the merit list under sub-rule(1) of rule 8 shall be considered by Government and the list approved by Government shall form the select list.

(2) A select list shall ordinarily be in force for a period of one year from the date of its approval by the Government or until another select list is prepared afresh, whichever is earlier.

(3) Appointment to any post in the service shall be in the order in which their names appear in the final select list.

## PART-V

### OTHER CONDITIONS OF SERVICE

**14. *Inter-se-seniority:*** The *Inter-se-seniority* of the officers appointed to the service in a particular recruitment year shall be in the order in which their names appear in the select list.

**15. *Gradation List:*** Separate gradation lists shall be prepared and maintained in respect of each teaching posts discipline wise reflecting the seniority in the concerned discipline determined in accordance with these rules.

**16. *Probation and Confirmation:*** (1) Every person appointed to any grade / post in the service by direct recruitment shall be on probation for a period of two years and when appointed on promotion shall be on probation for a period of one year from the date of joining the post:

Provided that the appointed authority may, if think fit in any case or class of cases, extend the period of probation:

Provided further that such period of probation shall not include:—

- (i) Extraordinary leave;
- (ii) Period of unauthorized absence; or
- (iii) Any other period held to be not being on actual duty.

(2) The appointment of probationers may for good and sufficient reasons to be recorded in writing, be terminated by Government at any time without previous notice during the period of probation including extension of such period.

(3) A probationer after successfully completing the period of probation to the satisfaction of Government shall be eligible for confirmation subject to the availability of substantive vacancy in the service.

**17. *Repeal and Saving:*** The Odisha Homoeopathic Medical Education Service(Method of Recruitment and conditions of service) Rules, 1980 in force immediately before the commencement of these rules are hereby repealed:

Provided that notwithstanding any such repeal any order or appointment made, action taken or things done under the rules, or orders to so repealed shall be deemed to have been made, taken or done under these rules.

**PART-VI**  
**MISCELLANEOUS**

**18. Relaxation:** When it is considered by the Government that it is necessary or expedient so to do in the public interest, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules in respect of any class or category of the employee in consultation with the Commission.

**19. Interpretation:** If any question arises relating to the interpretation of these rules or any provision thereof, it shall be referred to Government for decision.

**20. Power to issue instructions:** The Government may also issue instructions not inconsistent with the provisions of these rules as they may consider necessary to regulate the matters not specifically covered by the provisions of these rules.

**ORDER**

Ordered that these Rules be published in the Extraordinary issue of *Odisha Gazette* for general information.

By Order of the Governor

P.K. MOHAPATRA

Principal Secretary to Government

## APPENDIX-A

[See Rule-7(5)(i)]

(Recruitment of Lecturers )

The written examination shall be of two papers carrying 150 marks each with a duration of one and half hour for each paper. The questions will be objective type of multiple choice (100 questions of one mark each ) on the following subjects.

**Paper -1(Homoeopathic Subjects)**

(a) Materia Medica	...	40 marks
(b) Organon of Medicine	...	40marks
(c) Repertory	...	40 marks
(d) Homoeopathic Pharmacy	...	30 marks

**TOTAL- 150 marks****Paper-II( Allied Subjects)**

(a) Practice of Medicine	...	30 marks
(b) Obstetrics & Gynecology	...	20 marks
(c) Surgery	...	20 marks
(d) Community Medicine	...	20 marks
(e) F.M.T.	...	20 marks
(f) Pathology	...	20 marks
(g) Anatomy	...	10 marks
(h) Physiology & Biochemistry	...	10 marks

**TOTAL- 150 marks**

- NOTE:** (I) A candidate shall answer the papers in English unless otherwise directed .
- (II) The qualifying marks is 50% for UR & SEBC candidates and 45% for PH category and 40 % for ST & SC category of candidates.